

**BUFFALO COUNTY BOARD OF SUPERVISORS  
BUFFALO COUNTY BOARD OF EQUALIZATION  
TUESDAY, MAY 26, 2009  
9:00 A.M.**

The Buffalo County Board of Supervisors and the Buffalo County Board of Equalization met on Tuesday, May 26, 2009 at 9:00 A.M. and 9:45A.M. Chairman Pierce called the meeting to order and led those present in the Pledge of Allegiance. The following Board members responded to roll call: Horace Dannehl, Kent Greder, Ivan Klein, Timothy Loewenstein, William McMullen, Sherry Morrow and Richard Pierce. Chairman Pierce announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted at the back of the Board Room.

Posting and publishing gave notice of the meetings in advance, thereof. Notice of the meetings was simultaneously given to all members of both Boards; and availability of the agenda was communicated in the advance notice and in the notice to both Boards of this meeting. Said agenda was also furnished to all area news media. A copy of the acknowledgment and receipt of notice and agenda by the Board members is attached to these minutes. County Clerk Janice Giffin took all proceedings hereinafter shown while said meeting was open to the public. County Attorney Shawn Eatherton was present.

Chairman Pierce called for Citizen’s forum and Tim Sorensen and Pat Shahan addressed the Board of Supervisors. Sorensen previously attended the Board meeting on April 28, 2009 and discussed the road conditions on 62<sup>nd</sup> Avenue and returned to the Board meeting voicing the same concerns. Shahan expressed similar concerns of the road condition on 62<sup>nd</sup> Avenue. T& F Sand & Gravel, Inc. have been granted a special use permit to operate a concrete batch plant near this particular road. After discussion, Supervisor McMullen indicated that he will do further investigation regarding this situation.

**CONSENT AGENDA**

Chairman Pierce inquired if there was anything which needed to be removed from the Consent agenda. There was nothing to be removed therefore; Chairman Pierce declared the General County Business listed below approved without further hearing.

**GENERAL COUNTY BUSINESS**

- 1. Approve minutes for May 12, 2009
- 2. Accept report:
  - Community Action Partnerships of Mid-Nebraska April 2009 RYDE report
- 3. Miscellaneous County business
  - Approve May 2009 Payroll Claims

The following payroll claim totals for May 2009 were submitted by County Clerk Janice Giffin for approval.

FUND	NET PAYROLL
GENERAL	334,460.28
ROAD	79,755.40
<u>WEED</u>	<u>13,393.26</u>
TOTAL	<b>427,608.94</b>

- Approve May 2009 Vendor Claims

County Clerk Janice Giffin submitted the following May claims to the Board for approval.

<u>GENERAL FUND</u>			
A & D TECHNICAL SUPPLY	SU	SUPPLIES	25.03
ACE HARDWARE & GARDEN CTR	SU	SUPPLIES	41.13
ALAMAR UNIFORMS	SU	UNIFORMS	326.35
ALL MAKES AUTO SUPPLY	SU	SUPPLIES	639.21
ALLTEL	S	TELEPHONE	2,279.07
ALLTEL	S	TELEPHONE	1,247.02
ALLTEL	S	CELL PHONE	105.67
AMERICAN FAMILY LIFE	I	PREMIUMS	1,631.93
AMERITAS LIFE INSURANCE CORP	R	EMPLOYEE	56,358.47
ANDERSEN WRECKING CO	SU	VEHICLE PARTS	10.00
AS CENTRAL FINANCE	S	TELECOMM	1,343.99
ASK SUPPLY CO.	SU	SUPPLIES	1,101.23
B ANB B AUTO GLASS INC	S	EQUIP REPAIR	216.37
MICHAEL W BALDWIN	S	LEGAL	2,295.00
BCN TELECOM INC	S	TELEPHONE	29.74
MELODIE TURNER BELLAMY	RE	REIMBURSE	25.00

BRAD W BIGELOW	S	EVALUATIONS	1,100.00
BLUE CROSS BLUE SHIELD OF NE	I	EMPLOYEE	117,796.20
BOB BARKER CO INC	SU	SUPPLIES	1,401.79
BOB'S SUPER STORE	S	PHOTO FINISH	16.21
JONATHAN R BRANDT	S	LEGAL	1,181.25
SIEGFRIED H BRAUER	S	LEGAL	176.22
CHARLES BREWSTER	S	LEGAL	1,853.75
BRIEM ENGINEERING	S	AUTOPSY	1,075.00
BUFFALO CO ATTORNEY	E	COURT CASES	13.00
BUFFALO CO ATTORNEY'S OFFICE	E	PETTY CASH	318.91
BUFFALO CO COURT	E	POSTAGE	50.00
BUFFALO CO COURT	E	COURT COSTS	3,410.56
BUFFALO CO EXTENSION SVC	E	EXPENSES	17,605.50
BUFFALO CO PUBLIC DEFENDER	E	EXPENSES	8,997.59
BUFFALO CO SHERIFF	E	EXPENSES	4,023.63
BUFFALO CO TREASURER	T	DELINQUENT TAX	292.49
BUFFALO CO TREASURER	E	POSTAGE	7,006.85
BUILDERS HOW TO WAREHOUSE	SU	SUPPLIES	659.19
MICHAEL S BURKE	S	EVALUATION	600.00
BUTLER VOIGT AND STEWART PC	S	LEGAL	330.00
C B M FOOD SVC	E	FOOD SERVICE	14,499.10
MICHAEL D CARPER	S	LEGAL	3,125.32
CASH WA DISTRIBUTING	SU	SUPPLIES	4,596.82
CENTRAL FIRE & SAFETY INC	S	INSPECTIONS	1,194.50
CENTRAL NE DRUG COURT	AP	DRUG CRT COSTS	5,813.80
CHARTER DATA COMMUNIC	S	INTERNET SERV	3,623.00
CHARTER DIGITAL COMMUNIC	S	SERVICES	115.32
CITY OF KEARNEY	U	SERVICES	34,578.45
CLERK OF THE DIST CRT ASSN	D	ASSOC DUES	25.00
CLERK OF THE DISTRICT COURT	E	POSTAGE	17.50
CLERK OF THE DISTRICT COURT	E	COURT COSTS	1,703.00
CLERK OF THE DISTRICT COURT	E	JURY MEAL	82.99
CLERK OF THE SUPREME COURT	E	COURT COSTS	172.00
CLIPPER PUBLISHING	A	PUBLISHING	714.73
CODEX CORPORATION	SU	SUPPLIES	125.00
COLONIAL SUPPLEMENTAL INS	I	EMPLOYEE	83.67
STEVE COMBS	E	WITNESS FEES	20.00
COPYCAT PRINTING CTR	S	PRINTING	1,636.42
ROBIN CROSS	S	CLEANING	55.00
CROSSROADS FORD INC.	S	REPAIRS/PARTS	392.28
CULLIGAN WATER CONDITIONING	U	RENTAL	66.06
DAVENPORT COURT REPORTING	S	COURT REPORT	318.50
JANN DAVIDSON	RE	REIMBURSE	53.35
DAWSON CO PUBLIC PWR DIST	U	UTILITIES	2,204.65
DAWSON CO SHERIFF	E	INMATE HOUSING	1,131.00
DEPARTMENT OF PATHOLOGY	S	LAB REPORT	125.00
DON'S WELDING	S	REPAIRS	67.15
DOUGLAS CO SHERIFF	S	SERVICE FEES	18.48
DYNAMIC IMAGING SYSTEMS	EQ	MAINTENANCE	7,579.00
EAKES OFFICE PLUS	SU	SUPPLIES	1,444.37
EAKES	SU	SUPPLIES	129.32
EAKES	SU	SUPPLIES	2,687.95
EAKES	SU	SUPPLIES	14.99
EAKES	SU	SUPPLIES	553.21
SHAWN EATHERTON	RE	REIMBURSE	149.82
ECOLAB PEST ELIM DIV	S	PEST CONTROL	78.00
EDUCATIONAL SVC UNIT NO 10	S	SUPPORT	11,093.33
BEV EICKHOFF	S	MENDING	263.00
MARVIN ELLIOTT	RE	REIMBURSE	6.00
EMBROIDERY DESIGNS	SU	SUPPLIES	80.00
EUSTIS BODY SHOP	S	TOWING	95.00
FIRST CONCORD BENEFITS GROUP	I	EMPLOYEE	9,438.54
FRONTIER	S	TELEPHONE	6,813.57
GANZ ROMATZKE AND STAMM	S	LEGAL	520.50

GARRETT TIRES TREADS	S	REPAIRS	249.85
CYNTHIA GEMBALA HUGG	S	COURT REPORT	492.96
GFI USA, INC	E	SOFTWARE	600.00
GOOD SAMARITAN HEALTH SYST	MC	LAB WORK	6,207.00
GOVCONNECTION INC	SU	SUPPLIES	3,086.31
GREAT WEST HEALTHCARE	I	EMPLOYEE	638.40
GREVIN ASSOCIATES, LLC	S	MAINTENANCE	135.00
HALL CO COURT	E	COPIES	22.50
HALL CO DISTRICT COURT	E	COPIES	9.50
HALL CO SHERIFF	S	SERVICE FEES	15.50
ANDREW W HOFFMEISTER	RE	REIMBURSE	25.00
GARY L HOGG	S	LEGAL	1,033.94
HOLMES PLUMBING & HEATING	SU	SUPPLIES	6.51
HORNER LIESKE HORNER	S	TRANSP	450.00
LISA R HUERTA	RE	REIMBURSE	164.20
IBM CORPORATION	SU	SUPPORT	69.94
IMPACT PUBLICATIONS	SU	SUPPLIES	231.58
JACOBSEN ORR NELSON ETAL	S	LEGAL	5,433.40
K MART	SU	UNIFORMS	158.90
K MART PHARMACY	MC	INMATE MED	2,866.66
KEARNEY AREA HUMANE SOCIETY	AP	SHELTER	1,000.00
KEARNEY CLINIC PC	MC	MEDICAL	667.80
KEARNEY CO SHERIFF	S	SERVICE FEES	7.75
KEARNEY FEDERAL CREDIT UNION	E	EMPLOYEE	6,772.41
KEARNEY HUB	A	PUBLISHING	2,216.13
KEARNEY TOWING & REPAIR	S	TOWING	213.50
KEARNEY UNITED WAY	E	EMPLOYEE	109.84
KEITH CO COURT	E	COPIES	3.00
MILDRED B KINCAID	R	RETIREMENT	12.00
RICHARD KINCAID	RE	REIMBURSE	20.00
CANDY KLEIN	E	WITNESS FEES	20.00
KNAPP FANGMEYER ASCHWEGE	S	LEGAL	207.95
JEFF KNAPP	S	LEGAL	565.59
JEAN KNEESE	R	RETIREMENT	19.00
KONICA MINOLTA	E	COPY CHARGES	1,762.93
LAB SAFETY SUPPLY	MC	MEDICAL SUPPLY	93.33
LAFAYETTE LIFE INSURANCE	I	EMPLOYEE	24.00
LASERTEC OF NE INC	SU	SUPPLIES	640.77
ANNETTE LAVE	S	CLEANING	129.81
LEXIS NEXIS	S	ONLINE SERVICE	25.00
LIBERTY SVCS INC	S	CLEANING	952.63
LIPS PRINTING SVC	S	PRINTING	69.66
STEPHEN G LOWE	S	LEGAL	300.00
MADISON CO COURT	E	COPIES	2.00
MAIL EXPRESS LLC	E	METERED MAIL	29.04
MARLATT MACHINE SHOP INC.	S	REPAIRS	132.93
JOHN MARSH	S	LEGAL	188.21
MATTHEW BENDER & CO INC	SU	SUPPLIES	217.10
MCKINZIE & ASSOCIATES LLC	S	EVALUATION	225.00
MICHAEL MEFFERD	RE	REIMBURSE	25.00
MENARDS	SU	SUPPLIES	165.37
MID AMERICA PAY PHONES	E	PAY PHONES	80.00
MIPS INC.	S	SUPPORT	913.26
MORRIS PRESS	SU	SUPPLIES	724.90
JACQUELYN MOSER	E	WITNESS FEES	40.00
N E S C A	E	REGISTRATION	162.50
NACO	E	WORKSHOP	150.00
NATIONWIDE RETIREMENT	R	EMPLOYEE	1,279.64
NE CENTRAL TELEPHONE CO	S	TELEPHONE	159.44
NE CHILD SUPPORT PAYMENT CTR	E	EMPLOYEE	1,155.00
NE CO ATTORNEY'S ASSN	D	DUES & REGIS	2,480.00
NE CRIME COMMISSION	SU	SUPPLIES	77.00
NE DEPT OF MOTOR VEHICLES	E	RECORDS	43.00
NE FLOODPLAIN STORMWATER	E	REGISTRATION	10.00

NE LAW ENFORCE TRAINING	S	TRAINING	75.00
NE PUBLIC POWER	U	UTILITIES	5,278.52
NE SHERIFF'S ASSN	D	2009 DUES	1,590.00
NEW LIFE COUNSELING SVCS	S	EVALUATION	225.00
NORM'S PLUMBING HTNG & A/C	S	REPAIRS	2,441.52
NORTHWESTERN ENERGY	U	UTILITIES	3,077.73
OCE IMAGISTICS INC	E	MAINTENANCE	64.69
HSBC BUSINESS SOLUTIONS	SU	SUPPLIES	864.07
HSBC BUSINESS SOLUTIONS	SU	SUPPLIES	248.70
MATTHIAS I OKOYE	S	CONTRACT	2,833.00
PARKER GROSSART BAHENSKY	S	LEGAL	2,314.54
PHELPS CO SHERIFF	S	SERVICE FEES	39.00
PLATTE VALLEY COMMUNICATION	S	REPAIRS	275.50
PLATTE VALLEY STATE BANK	T	FEDERAL TAXES	108,016.21
PRESTO X CO	S	PEST CONTROL	93.00
QUALITY INN AND SUITES	E	LODGING	133.90
QWEST	S	PHONE SERVICE	863.22
R COM	S	INTERNET	112.50
RAVENNA SANITATION	U	UTILITIES	323.00
REDFIELD & CO INC.	SU	SUPPLIES	148.08
REDWOOD BIOECH	SU	SUPPLIES	209.19
RELIABLE	SU	SUPPLIES	72.57
JENNIFER RENKEN	RE	REIMBURSE	124.85
ILENE RICHARDSON	R	RETIREMENT	14.00
MICHELE ROMERO	RE	REIMBURSE	25.00
ROSS SCHROEDER & GEORGE	S	LEGAL	1,212.00
RTS BUSINESS HOLDINGS, INC	S	MAINTENANCE	223.65
SCHUG VENTURES LLC	RT	RENT	682.50
CONNIE S SCHUMAN	S	COURT REPORT	112.50
MANDI J SCHWEITZER	RE	REIMBURSE	25.00
SCOTTS BLUFF CO SHERIFF	S	SERVICE FEES	2.32
SECRETARY OF STATE	E	COPIES	20.00
KURT SIEDSCHLAW	S	LEGAL	436.60
TERRY SLATER	E	WITNESS FEES	20.00
JOSH SMITH	E	WITNESS FEES	20.00
TRENTON SNOW	RT	RENT	734.70
TRENTON SNOW, L.L.C.	EQ	EQUIP RENT	350.00
SNYDER AND HILLIARD	S	LEGAL	361.00
STATE OF NE	T	STATE TAXES	15,866.07
SUPER SHINE AUTO CARE INC	EQ	EQUIPMENT	321.88
MICHAEL J SYNEK	S	LEGAL	399.25
STEPHEN TAPPAN	E	WITNESS FEES	20.00
TERRA SCAN INC	E	SERVICES	15,257.38
THE HARTFORD	I	EMPLOYEE	2,825.00
THOMPSON WEST	E	SUBSCRIPTIONS	138.30
TIMEKEEPING SYSTEMS INC	EQ	EQUIPMENT	1,395.66
TREAT AMERICA FOOD SVCS	E	TRAINING	21.11
TURNER BODY SHOP OF KRN	S	TOWING	75.79
REBECCA L TVRDIK	S	LEGAL	1,031.25
TYE & RADEMACHER PC LLO	S	LEGAL	579.35
U S POSTMASTER	E	POSTAGE	44.52
U SAVE PHARMACY	MC	INMATE MED	35.00
US INTERNET	SU	SUPPLIES	702.00
USDA APHIS	S	ANIMAL CNTRL	3,686.37
VILLAGE CLEANERS INC	SU	SUPPLIES	105.23
VILLAGE OF MILLER	U	UTILITIES	32.50
WALMART	SY	SUPPLIES	72.00
WAL-MART COMMUNITY	SU	SUPPLIES	20.32
WALMART COMMUNITY	SU	SUPPLIES	32.25
WALMART	SU	SUPPLIES	1,031.02
WELLS FARGO CARD SVCS INC	SU	SUPPLIES	815.88
WEST PAYMENT CTR	SU	SUPPLIES	1,108.64
WEST PAYMENT CTR	SU	SUPPLIES	69.15
WESTERN PATHOLOGY CONSULT	SU	SUPPLIES	47.50

WILKE DONOVAN'S TRUE VALUE	SU	SUPPLIES	120.80
WILLIAM R WILLIAMS	RE	REIMBURSE	219.45
MELISSA L WILLIS	RE	REIMBURSE	25.00
WINDSTREAM	E	LONG DISTANCE	5.96
JEFFREY M WIRTH	S	LEGAL	1,551.71
YEAGLEY SWANSON MURRAY LLC	S	LEGAL	7,313.86
YORK CO SHERIFF	S	SERVICE FEES	44.76
MELANIE R YOUNG	RE	REIMBURSE	25.00
ZIMMERMAN PRINTERS & LITHO	SU	SUPPLIES	75.24
<b><u>ROAD FUND</u></b>			
ACE HARDWARE & GARDEN CTR	SU	REPAIRS/SUPPLY	87.49
ACE IRRIGATION & MFG	SU	SUPPLIES	18,823.47
ALL MAKES AUTO SUPPLY	S	REPAIRS	758.78
AMERICAN FAMILY LIFE	I	PREMIUMS	1,042.52
AMERICAN FIRST AID & SAFETY	SU	SUPPLIES	96.80
AMERITAS LIFE INSURANCE CORP	R	EMPLOYEE	12,981.78
ARROW SEED CO INC	SU	SUPPLIES	400.50
ASK SUPPLY CO.	SU	SUPPLIES	114.06
AUTO GLASS CTR	S	REPAIRS	748.55
AXMANN TRANSPORTATION	G	GRAVEL	6,351.40
BLUE CROSS BLUE SHIELD OF NE	I	EMPLOYEE	4,993.09
BOSELMAN ENERGY INC	S	REPAIR/SUPPLY	1,528.00
BOWMAN CONST SUPPLY	C	CONCRETE	4,320.00
BROADFOOT SAND & GRAVEL	G	GRAVEL	8,527.28
BUFFALO CO TREASURER	T	DELINQ TAX	2,111.92
BUILDERS HOW TO WAREHOUSE	S	REPAIRS	65.37
CARROT TOP INDUSTRIES INC	SU	SUPPLIES	151.64
CENTRAL AUTO ELECTRIC INC	S	REPAIRS	192.75
CENTRAL HYDRAULIC SYST	S	REPAIRS	389.90
ROY CLIFTON	RE	REIMBURSE	80.00
COLONIAL RESEARCH CHEMICAL	G	GRAVEL	3,208.99
COMFY BOWL	U	RENTAL	125.00
ROBIN CROSS	S	CLEANING	639.00
CULLIGAN WATER CONDITIONING	SU	SUPPLIES	16.50
EAKES OFFICE PLUS	SU	SUPPLIES	20.58
FARM PLAN KEARNEY IMPLEMENT	S	REPAIRS	440.18
FASTENAL CO	S	REPAIRS	56.91
FIRST CONCORD BENEFITS GROUP	I	EMPLOYEE	1,571.33
ARLOW FRITZ	R	RETIREMENT	10.00
GARRETT TIRES TREADS	S	REPAIRS	1,012.68
GREAT WEST HEALTHCARE	I	EMPLOYEE	180.69
HOEHNER TURF	S	REPAIRS	19.50
HUSKER STEEL	SU	SUPPLIES	61,650.00
K & K PARTS CO. INC.	SU	SUPPLIES	1,540.15
KACO SUPPLIES	SU	SUPPLIES	948.75
KEARNEY FEDERAL CREDIT UNION	E	EMPLOYEE	2,055.00
KEARNEY HUB	A	PUBLISHING	9.57
KEARNEY UNITED WAY	E	EMPLOYEE	11.00
LAFAYETTE LIFE INSURANCE	I	EMPLOYEE	3.00
LAMMERS TRUCK LINE INC	G	GRAVEL	1,202.67
LAWSON PRODUCTS INC	SU	SUPPLIES	946.60
LINWELD	SU	SUPPLIES	215.84
ELWOOD LUCE	R	RETIREMENT	11.00
MARLATT MACHINE SHOP INC.	S	REPAIRS	301.30
MENARDS	S	REPAIRS	36.12
MID NE AGGREGATE INC	G	GRAVEL	2,021.93
MID-NE GARAGE DOORS	S	REPAIRS	75.00
MIDWAY CHEVROLET	S	REPAIRS	179.19
MIDWEST SVC & SALES CO	SU	SUPPLIES	25,549.55
MR AUTOMOTIVE CARQUEST	SU	REPAIRS/SUPPLY	511.16
NASSAU ROCKMOUNT	SU	SUPPLIES	669.63
NATIONWIDE RETIREMENT	R	EMPLOYEE	1,060.00
NE CHILD SUPPORT PAYMENT CENT	E	EMPLOYEE	395.00
NE MACHINERY CO	S	REPAIRS	9,177.77

NE SALT & GRAIN CO.	G	GRAVEL	11,578.61
NEW PIG	SU	SUPPLIES	171.48
THE NEW SIOUX CITY IRON CO	SU	SUPPLIES	51.99
O'REILLY AUTOMOTIVE, INC.	S	REPAIRS	3.99
PAUL BARTELS LEASING CO	G	GRAVEL	3,754.32
PAUL BARTELS TRUCKING	G	GRAVEL	11,016.15
PAVEMENT REPAIR & SUPPLIES INC.	SU	SUPPLIES	10,125.00
PLATTE VALLEY STATE BANK	Y	FEDERAL TAXES	24,381.90
POWERPLAN	S	REPAIRS	171.28
PRECISION INDUSTRIES INC	SU	SUPPLIES	60.73
REDMAN'S SHOES	EQ	EQUIPMENT	80.00
SAHLING KENWORTH INC	S	REPAIRS	231.70
SAPP BROS	SU	SUPPLIES	3,185.43
STATE OF NE	Y	STATE TAXES	3,305.73
SWARCO REFLEX INC	SU	SUPPLIES	5,013.00
T & F SAND AND GRAVEL INC	G	GRAVEL	10,201.10
THE LOCKMOBILE	SU	SUPPLIES	4.00
TROTTER SVC	S	REPAIRS	13.00
UNITED LABORATORIES	SU	SUPPLIES	242.50
WALTERS ELECTRIC	S	REPAIRS	475.16
WICK'S STERLING TRUCKS	S	REPAIRS	276.50
WILKE CONTRACTING CORP	C	CONCRETE	27,986.16
WILKE DONOVAN'S TRUE VALUE	SU	SUPPLIES	47.02
ZECH FARMS TRUCKING	G	GRAVEL	2,025.33
<b><u>BRIDGE FUND</u></b>			
NE MACHINERY CO	EQ	CONTRACT	10,530.00
PAULSEN INC	C	CONTRACT	150,079.50
<b><u>VISITOR'S PROMOTION FUND</u></b>			
KEARNEY VISITOR'S BUREAU	AP	EXPENSES	19,000.00
<b><u>VISITOR'S IMPROVEMENT FUND</u></b>			
KEARNEY VISITOR'S BUREAU	AP	EXPENSES	21,000.00
<b><u>EMERGENCY RELIEF FUND</u></b>			
ABC DRUG	MC	PRECSRIPTIONS	1,281.91
BLACK HILLS STAGE LINE	E	BUS TICKETS	181.50
BOB'S SUPER STORE	E	FOOD ITEMS	49.48
BOOGAARTS	E	SUNDRIES	89.16
BOSSELMANS PUMP & PANTRY #40	F	GASOLINE	177.00
CENTURY 21 MIDLANDS	RT	RENT	150.00
ELN,LLC	RT	RENT	105.00
EMERSON PLACE APARTMENTS	RT	RENT	50.00
ANGELA GIBREAL	RT	RENT	210.00
HAYS PHARMACY	MC	PRESCRIPTIONS	162.01
JOE HITCHCOCK	RT	RENT	350.00
K MART	E	SUNDRIES	15.00
KEARNEY HOUSING AUTHORITY	RT	RENT	27.00
DICK KING	RT	RENT	210.00
KINGDOM INVESTMENTS LLC	RT	RENT	210.00
MASON'S MARKET	E	SUNDRIES	18.01
MEDICAP	MC	PRESCRIPTIONS	43.79
METCALF FUNERAL HOME	S	BURIAL	1,750.00
NADEN PHARMACY	MC	PRESCRIPTIONS	151.25
O'BRIEN STRAATMANN MORTUARY	S	BURIAL	1,058.82
SUN MART PHARMACY #765	MC	PRESCRIPTIONS	204.21
CAROL VONMINDEN	RT	RENT	50.00
<b><u>INSTITUTIONS FUND</u></b>			
NE HEALTH & HUMAN SVCS	AP	PATIENT BILL	507.00
<b><u>STOP PROGRAM FUND</u></b>			
BUFFALO CO COURT	AP	STOP COSTS	1,012.00
<b><u>COUNTY BOND</u></b>			
BECKENHAUER CONSTRUCTION	C	CONSTRUCTION	793,655.00
GOLDBERG SULLIVAN & MCCREREY	C	ARCHITECT FEES	39,917.33
<b><u>BUILDING AND GROUNDS</u></b>			
KELLY ELECTRIC CO.	C	CONSTRUCTION	188.92

METHE COMMUNICATIONS INC	C	CONSTRUCTION	1,113.43
RAYNOR GARAGE DOORS	C	SUPPLIES	2,148.00
<b><u>WEED DISTRICT</u></b>			
ACE HARDWARE & GARDEN CTR	S	REPAIRS	31.74
ALL MAKES AUTO SUPPLY	S	REPAIRS	197.20
AMERICAN FAMILY LIFE	I	PREMIUMS	51.26
AMERICAN FIRST AID & SAFETY	SU	SUPPLIES	58.93
AMERITAS LIFE INSURANCE CORP	R	EMPLOYEE	969.32
BLUE CROSS BLUE SHIELD OF NE	I	EMPLOYEE	699.42
BUILDERS HOW TO WAREHOUSE	S	REPAIRS	60.68
CLIPPER PUBLISHING	A	PUBLISHING	144.00
CROP PRODUCTION SVCS	SU	CHEMICAL	4,056.75
FIRST CONCORD BENEFITS GROUP	I	EMPLOYEE	250.00
GREAT WEST HEALTHCARE	I	EMPLOYEE	9.11
MIKE HAINES	SU	CHEMICAL	162.60
K & K PARTS CO. INC.	S	REPAIRS	55.35
KEARNEY HUB	A	PUBLISHING	243.20
KEARNEY UNITED WAY	E	EMPLOYEE	23.00
RICHARD KINCAID	RE	REIMBURSE	21.41
ORSCHELN FARM AND HOME	E	TOOL	15.98
PLATTE VALLEY STATE BANK	T	FEDERAL TAXES	4,239.48
RAVENNA NEWS	A	PUBLISHING	91.20
SCHABEN INDUSTRIES	S	REPAIRS	74.69
SELECT SPRAYERS	S	REPAIRS	51.48
STATE OF NE	T	STATE TAXES	630.95
THE BEACON OBSERVER	A	PUBLISHING	99.00
TRACTOR SUPPLY CO. INDUSTRIES	E	REPAIR/OIL	63.87
UNITED SUPPLIERS	SU	CHEMICALS	15,395.25
VAN DIEST SUPPLY CO	SU	CHEMICAL	25,073.58
<b><u>911 EMERGENCY SVC</u></b>			
AMERICAN FENCE CO	E	911 TOWER	1,395.00
FRONTIER	S	TELEPHONE	1,684.47
FRONTIER COMM OF NE	S	911 ACCESS	485.82
LANGUAGE LINE SVCS	S	INTERPRETATION	63.04
NE CENTRAL TELEPHONE CO	S	911 TELEPHONE	111.09
PLATTE VALLEY COMMUNICATION	S	911 REPAIRS	1,811.50
QWEST	S	911 SERVICE	9,477.52

### REGULAR AGENDA

Chairman Pierce reviewed the following correspondence with the Board. Ken George sent correspondence related to the April 28, 2009 hearing on the Diversion/Acceleration of Surface Water. First Concord sent notice of Section 125 Cafeteria Plan enrollment deadlines for the fiscal year July 2009 through June 2010. Department of Motor Vehicles sent information about alphanumeric plates for the 2011 license plate issuances. Chairman Pierce then called on each Board member present for committee reports and recommendations.

Moved by Morrow and seconded by Greder to approve a transfer of \$350,000.00 to the Bridge Fund (300), \$150,000.00 to the Weed Fund (5400) and \$101,500.00 to the Inheritance Fund all from the General Fund (100) and all per budget. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Dannehl, Klein, Loewenstein, McMullen and Pierce. Motion declared carried.

Moved by Morrow and seconded by Greder to approve the addition of pledged collateral in the amount of \$50,000.00 to Firstier for the Buffalo County Treasurer. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Dannehl, Klein, Loewenstein, McMullen and Pierce. Motion declared carried.

Discussion followed on health insurance coverage options. County Attorney Shawn Eatherton has put together a list of several items to be addressed if the Board would decide to offer compensation to employees wanting to opt out of health insurance coverage provided by the County. No formal action was taken and Chairman Pierce referred this back to the Human Resources/Insurance Committee.

Deputy County Attorney Andrew Hoffmeister reviewed the following Amended Resolution 2009-32. The amendment simply changes the purchaser name on the sale of a Buffalo County property from a private individual to a corporation.

Moved by Greder and seconded by Loewenstein to approve Resolution 2009-32A. Upon roll call vote, the following Board members voted "Aye": Greder, Loewenstein, Dannehl, Klein, McMullen, Morrow and Pierce. Motion declared carried.

### **RESOLUTION 2009-32A**

WHEREAS, on May 6, 2009 in Resolution #2009-032 this Board approved sale of the following described property, hereinafter referred to as “subject property” to Shawn Engberg, and

WHEREAS the purchase agreement and closing documents indicate that the purchaser is Alley Rose, Inc. of Kearney, NE, an entity owned by Shawn Engberg, and

WHEREAS, this Board believes that Resolution #2009-032 should be amended to reflect the entity purchasing the subject property.

NOW THEREFORE BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF SUPERVISORS that Resolution #2009-032 is amended to reflect The Alley Rose, Inc. of Kearney, NE, as purchaser for the following described subject property located at 2012 and 2014 Avenue A, Kearney, Buffalo County, Nebraska, having the following legal description:

Lots 507, 508, and 509, Original Town of Kearney Junction, Now City of Kearney, Buffalo County, Nebraska.

Moved by Loewenstein and seconded by Dannehl to forward the lease agreement to Mid Nebraska Community Action- RYDE as prepared and presented by County Attorney Shawn Eatherton with the following adjustments: 1) complete the entity name of the LESSEE, 2) the physical address would be 321 Central Avenue Suite A, 3) parking would be \$200.00 plus \$30.00 per unit parked externally and 4) authorize Vice Chairman Dannehl to sign the lease agreement for Buffalo County (Chairman Pierce is on the Mid Nebraska Community Action Board.) Upon roll call vote, the following Board members voted "Aye": Loewenstein, Dannehl, Greder, Klein, McMullen and Morrow. Abstain: Pierce. Motion declared carried.

Kent Cordes from Miller and Associates presented a floodplain map of the Buffalo County owned property formerly known as the U.S. Army Reserve Center. Moved by Morrow and seconded by Loewenstein to hire Miller and Associates to complete a survey of the above referenced property and prepare the forms for a Letter of Map Revision (LOMR) to be submitted to FEMA. The purpose of the project is to determine if the existing elevations across the property would enable more of the property to be removed from the special flood hazard area. The charges incurred will not exceed \$2000.00. Upon roll call vote, the following Board members voted "Aye": Morrow, Loewenstein, Dannehl, Greder, Klein, McMullen, and Pierce. Motion declared carried.

Moved by Klein and seconded by Greder to approve the revised rental agreement for the Extension Center. A copy of the rental agreement is on file with the County Clerk. Upon roll call vote, the following Board members voted "Aye": Klein, Greder, Dannehl, Loewenstein, McMullen, Morrow and Pierce. Motion declared carried.

Thereafter, Andrew W. Hoffmeister, Deputy County Attorney presented the Board with Addendum to Child Support Title IV-D Cooperative Agreement. Mr. Hoffmeister informed the Board that this new contract was part of the large federal stimulus relief bill passed earlier this year and changed terms of reimbursement to counties involved in the Title IV-D Child Support Program. After discussion it was moved by Loewenstein and seconded by Dannehl to allow Buffalo County Chairperson and Buffalo County Attorney to execute the addendum as presented. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Dannehl, Greder, Klein, McMullen, Morrow and Pierce. Motion declared carried.

Moved by Morrow and seconded by Greder to recess the regular meeting of the Board of Supervisors at 10:00 A.M. and reconvene as a Board of Equalization. Upon voice vote all Board Members present voted “Aye”. None voted “Nay”. Motion declared carried.

### **BOARD OF EQUALIZATION**

Chairman Pierce called the Board of Equalization to order in open session. Deputy County Treasurer Brenda Rohrich was present. Moved by Loewenstein and seconded by McMullen to approve the renewal application for motor vehicle tax exemption as indicated on the application by County Treasurer Jean Sidwell for Community Action Partnership of Mid Nebraska on three 2009 Chevrolet Colorado pickups and one 2009 Chevrolet HHR. Upon roll call vote, the following Board members voted "Aye": Loewenstein, McMullen, Dannehl, Greder, Klein and Morrow. Abstain: Pierce. Motion declared carried.

Moved by Greder and seconded by Morrow to approve the renewal application for motor vehicle tax exemption as indicated on the application by County Treasurer Jean Sidwell for Grace Fellowship Inc. on a 2005 Chrysler Town & Country. Upon roll call vote, the following Board members voted "Aye": Greder, Morrow, Dannehl, Klein, Loewenstein, McMullen and Pierce. Motion declared carried.



Moved by Klein and seconded by Morrow to recess the Board of Equalization at 10:03 A.M. and to return to the regular meeting of the Board of Supervisors. Upon voice vote all Board Members present voted “Aye”. None voted “Nay”. Motion declared carried.

**REGULAR AGENDA**

Highway Superintendent Ron Sklenar was present for the following Agenda item of request for relaxation of Minimum Design Standards. Moved by McMullen and seconded by Greder to request that the Board of Public Roads Classification and Standards relax the Minimum Design Standards for a reduction in Bridge Design loading from HL-93 to HS-20 on the following project replacements using Cast-In-Place reinforced concrete boxes. Project No. C10 (1400) Buffalo County C40 (380) Hall County project using a triple 8 x 6 – 40’ reinforced concrete box on a local road. Project No. C10 (596) using a twin 10 x 8 – 44’ reinforced concrete box replacing structure number C001004805 on a local road. Project No. C10(884) with a single 10 x 7 – 46’ with a 15 degree Left Hand Back skew replacing structure no. 37-002 on a local road. Upon roll call vote, the following Board members voted "Aye": McMullen, Greder, Dannehl, Klein, Loewenstein, Morrow and Pierce. Motion declared carried.

Kent Thompson, the NACO Account Executive with Blue Cross Blue Shield was present to inform the Board of the 2009-2010 fiscal year contract options for employee health insurance coverage. Thompson explained the deductible buy down or partial self funding program that is available to Buffalo County. This would allow the County to move away from a low deductible to a higher deductible and receive those premium savings. In order to hold the member harmless, the County would pay the portion of the deductible over and above the current \$500.00 deductible. NACO recommends that a third party administrator should handle those claims for reimbursement directly to the provider of services. The County would have to budget for the possible differences plus the new insurance rate but an overall cost savings was probable. No action was taken.

Chairman Pierce then instructed County Clerk Giffin to open the sealed Request for Proposal (RFP) Health Insurance bids that had been submitted to the County Clerk. Deputy County Clerk Leora Hofmann assisted in the opening of the bids that were all submitted by 9:15 A.M. The following Companies/Agents were read into the record: Principal Financial Group/ Gene Beerbohm, Coventry/ Maggie Higgins, Coventry/Wendell Springer, Coventry and Cigna/Tim Hughbanks, Coventry/Tim Shada, Meritain Health/Ray Meyer, Coventry/Chad Svoboda. Chad Svoboda from Strong Financial Resources also submitted a consulting bid. These RFP’s will be reviewed by the Human Resource/Insurance Committee with recommendations being returned to the Board meeting on June 2, 2009.

At 10:50 A.M. Chairman Pierce opened the public hearing for vacation or abandonment of Odessa Alley between Lots 83 through 86 and Lots 87 through 89, Village of Odessa. Deputy County Attorney Hoffmeister reviewed the Exhibits that would be included in this hearing. Also included in this list is an Exhibit presented by Bev Refior at this meeting.

EXHIBIT LIST:	
NUMBER	DESCRIPTION
1	PETITION TO VACATE
2	Sklenar letter
3	County Attorney letter to Odessa Township
4	Resolution 2009-025
5	Published Public Notice of May 26, 2009 Meeting
6	Cadastral Map from Register of Deeds
7	Humphrey Survey dated November 29, 2007
8	June 4, 1985 (partial) Board meeting minutes
9	Inst 93-5273 filing with Register of Deeds
10	Refior Packet handed Board 5-26-09

Gary Day who submitted the petition to vacate the alley was present and addressed the Board. Bev Refior, a neighbor who is protesting the vacation was also present. Refior presented the Board a packet of information which is now marked as Exhibit 10 as indicated in the list above. Chairman Pierce closed the public hearing at 11:30 A.M. and set June 9, 2009 at 10:00 A.M. for a decision on this vacation of alley.

County Sheriff Neil Miller was present to discuss an application for a BYRNE grant. This project is the Buffalo County Forensic Fingerprint and Officer Safety grant. No action was necessary.

**JUSTICE CENTER PROJECT**

Buster Beckenhauer from Beckenhauer Construction was present for updated reports and discussion. Moved by Dannehl and seconded by Morrow to approve Change Order Request 25 for Phase 1B of the Construction project. This

request is to replace and relocate 6”sewer around existing foundation between new jail and existing courthouse. Upon roll call vote, the following Board members voted "Aye": Dannehl, Morrow, Greder, Klein, Loewenstein, McMullen and Pierce. Motion declared carried.

**ZONING**

Chairman Pierce opened the Zoning hearing at 11:55 A.M. Zoning Administrator LeAnn Klein and John Cunningham legal counsel for Michael and Patrese O’Brien were present for the hearing. Cunningham presented a draft resolution for consideration. No one else was present to address the Board and Chairman Pierce closed the public hearing at 12:01 P.M. Moved by McMullen and seconded by Greder to approve the following Resolution 2009-36. Upon roll call vote, the following Board members voted "Aye": McMullen, Greder, Dannehl, Klein, Loewenstein, Morrow and Pierce. Motion declared carried.

**RESOLUTION 2009-36**

**A RESOLUTION APPROVING CONSERVATION EASEMENT FOR WETLANDS AMERICA TRUST, INC.**

WHEREAS, MICHAEL O’BRIEN and PATRESE O’BRIEN, husband and wife, are the owners of the following described real estate:

A TRACT OF LAND BEING PART OF GOVERNMENT LOT TEN (10), PART OF GOVERNMENT LOT ELEVEN (11) AND ACCRETIONS LOCATED IN SECTION THREE (3), TOWNSHIP EIGHT (8) NORTH, RANGE FOURTEEN (14) WEST OF THE 6<sup>TH</sup> P.M., BUFFALO COUNTY, NEBRASKA, more particularly described as follows: Referring to the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section Ten (10) Township Eight (8) North, Range Fourteen (14) West of the 6<sup>th</sup> P.M., Buffalo County, Nebraska, and assuming the South line of the Northeast Quarter of the Northwest Quarter and the South line of the North Half of the Northeast Quarter of Section 10 as bearing S89°52’00”E and all bearings contained herein are relative thereto; thence N00°41’48”W and on the West line of the Northeast Quarter of the Northwest Quarter of said Section 10 a distance of 1318.64 feet to the Northwest Corner of the Northeast Quarter of the Northwest Quarter of said Section 10 said point also being on the South line of Government Lot 14 located in said Section 3; thence leaving the South line of Government Lot 14 of said Section 3, N02°02’39”E and on the West line of Government Lot 11 of said Section 3 (if extended Southerly) a distance of 186.02 feet to the ACTUAL PLACE OF BEGINNING, said point being on an existing fence line; thence leaving said existing fence line and continuing N02°02’39”E and continuing on the West line of Government Lot 11 (if extended Southerly) and on the West line of Government Lot 11 of said Section 3 a distance of 1429.80 feet to a point on an existing fence line; thence leaving the West line of Government Lot 11 of said Section 3, N51°17’43”E and on an existing fence line a distance of 29.65 feet; thence continuing on said existing fence line the following courses and distances respectively: S89°53’26”E a distance of 295.72 feet; thence N82°13’12”E a distance of 231.87 feet; thence N75°05’19”E a distance of 67.53 feet; thence S88°57’13”E a distance of 434.03 feet; thence S64°07’34”E a distance of 169.95 feet; thence S83°41’21”E a distance of 254.47 feet; thence S88°29’22”E a distance of 607.16 feet; thence N83°41’59”E a distance of 124.11 feet; thence N73°09’44”E a distance of 327.74 feet; thence leaving said existing fence line S04°23’14”E a distance of 1020.66 feet to a point on an existing fence line; thence S81°20’11”W and on said existing fence line a distance of 277.52 feet; thence continuing on said existing fence line the following courses and distances respectively: S18°21’29”W a distance of 109.21 feet; thence S66°55’38”W a distance of 626.83 feet; thence N86°39’08”W a distance of 1042.98 feet; thence N88°03’35”W a distance of 189.77 feet; thence S70°17’47”W a distance of 534.18 feet; to a point on an existing fence line; thence N09°49’10”W and on an existing fence line a distance of 44.09 feet to the place of beginning. Containing 75.47 acres, more or less.

A TRACT OF LAND BEING PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4 NE1/4) LOCATED IN SECTION TEN (10) AND PART OF GOVERNMENT LOT ELEVEN (11), PART OF GOVERNMENT LOT THIRTEEN (13), PART OF GOVERNMENT LOT FOURTEEN (14) AND ACCRETIONS LOCATED IN SECTION THREE (3), ALL IN TOWNSHIP EIGHT (8) NORTH, RANGE FOURTEEN (14) WEST OF THE 6<sup>TH</sup> P.M., BUFFALO COUNTY, NEBRASKA, more particularly described as follows: Referring to the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section 10 and assuming the South line of the Northeast Quarter of the Northwest Quarter and the South line of the North Half of the Northeast Quarter of Section 10 as bearing S89°52’00”E and all bearings contained herein are relative thereto; thence N00°41’48”W and on the West line of the Northeast Quarter of the Northwest Quarter of said Section 10 a distance of 33.0 feet to a point on the North line of a Public Road (Kilgore Road); thence leaving the West line of the Northeast Quarter of the Northwest Quarter of said Section 10, S89°52’00”E and on the North line of said Public Road (Kilgore Road) a distance of 811.59 feet; thence S17°47’29”E and continuing on the Northerly line of said Public Road (Kilgore Road) a distance of 8.67 feet; thence N54°17’53”E and continuing on the Northerly line of said Public Road (Kilgore Road) a distance of 1177.02 feet; thence N49°47’04”E and continuing on the Northerly line of said Public Road (Kilgore Road) a distance of 501.58 feet; thence N60°57’23”E and continuing on the Northerly line of said Public Road (Kilgore Road) a distance of 324.97 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N60°57’23”E and on the Northerly line of said Public Road (Kilgore Road) a distance of 354.83 feet; thence N71°27’13”E and continuing on the Northerly line of said Public Road (Kilgore Road) a distance of 198.71 feet; thence leaving the Northerly line of said Public Road (Kilgore Road) N20°19’11”W a distance of 196.40 feet; thence N42°45’03”W a distance of 322.60 feet; thence N14°44’59”W a distance of 121.04 feet to a point on an existing fence line; thence S81°20’11”W on an existing fence line a distance of 277.52 feet; thence continuing on said existing fence line the following courses and distances respectively: S18°21’29”W a distance of 109.21 feet; thence S66°55’38”W a distance of 626.83 feet; thence N86°39’08”W a distance 1042.98 feet; thence N88°03’35”W a distance of 189.77 feet; thence S70°17’47”W a distance of 534.18 feet to a point on an existing fence line; thence S08°48’59”E and on said existing fence line a distance of 118.25 feet; thence S86°49’14”E and on said existing fence line a distance of 55.90 feet to a point being 24.5 feet Northerly from the South line of Government Lot 14 located in said Section 3; thence continuing on an existing fence line the following courses and distances respectively: N81°51’37”E a distance of 167.24 feet; thence N63°33’18”E a distance of 301.25 feet; thence N82°23’33”E a distance of

96.48 feet; thence S73°22'52"E a distance of 296.32 feet; thence S22°26'43"E a distance of 113.66 feet; thence N80°31'06"E a distance of 204.03 feet; thence S86°51'35"E a distance of 174.79 feet; thence N86°38'05"E a distance of 229.06 feet; thence S74°55'55"E a distance of 107.03 feet; thence N73°54'16"E a distance of 236.25 feet; thence S86°36'19"E a distance of 567.17 feet; thence S01°49'07"E a distance of 200.07 feet; to the place of beginning. Containing 19.20 acres, more or less.

A TRACT OF LAND BEING PART OF GOVERNMENT LOT TWELVE (12), AND ACCRETIONS LOCATED IN SECTION THREE (3), TOWNSHIP EIGHT (8) NORTH, RANGE FOURTEEN (14) WEST OF THE 6<sup>TH</sup> P.M., BUFFALO COUNTY, NEBRASKA, more particularly described as follows: Referring to the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section Ten (10), Township Eight (8) North, Range Fourteen (14) West of the 6<sup>th</sup> P.M., Buffalo County, Nebraska, and assuming the South Line of the Northeast Quarter of the Northwest Quarter of Section 10, as bearing S89°52'00"E and all bearings contained herein are relative thereto; thence N00°41'48"W and on the West line of the Northeast Quarter of the Northwest Quarter of said Section 10, a distance of 1318.64 feet to the Northwest Corner of the Northeast Quarter of the Northwest Quarter of said Section 10 and said point being on the South line of Government Lot 14 of said Section 3; thence leaving the South line of Government Lot 14 of said Section 3, N02°02'39"E and on the East line of Government Lot 12 located in said Section 3 (if extended Southerly) a distance of 186.02 feet to the ACTUAL PLACE OF BEGINNING, said point being on an existing fence line; thence leaving said existing fence line and continuing N02°02'39"E and continuing on the East line of Government Lot 12 (if extended Southerly) and on the East line of Government Lot 12 of said Section 3 a distance of 1429.80 feet to a point on an existing fence line; thence leaving the East line of Government Lot 12 of said Section 3, S51°17'43"W and on an existing fence line a distance of 224.37 feet; thence continuing on said existing fence line S82°59'02"W a distance of 123.59 feet to a point on an existing fence line; thence S09°49'10"E and on said existing fence line a distance of 1311.24 feet to the place of beginning. Containing 4.28 acres, more or less.

A TRACT OF LAND BEING PART OF GOVERNMENT LOT FOURTEEN (14) AND ACCRETIONS LOCATED IN SECTION THREE (3), TOWNSHIP EIGHT (8) NORTH, RANGE FOURTEEN (14) WEST OF THE 6<sup>TH</sup> P.M., BUFFALO COUNTY, NEBRASKA, more particularly described as follows: Referring to the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section Ten (10), Township Eight (8) North, Range Fourteen (14) West of the 6<sup>th</sup> P.M., Buffalo County, Nebraska, and assuming the South line of the Northeast Quarter of the Northwest Quarter of Section 10 as bearing S89°52'00"E and all bearings contained herein are relative thereto; thence N00°41'48"W and on the West line of the Northeast Quarter of the Northwest Quarter of said Section 10, a distance Of 1318.64 feet to the Northwest Corner of the Northeast Quarter of the Northwest Quarter of said Section 10, and said point being on the South line of Government Lot 14 of said Section 3; thence N02°02'39"E and leaving the Southerly line of Government Lot 14 of said Section 3, and on the West line of Government Lot 11 located in said Section 3 (if extended Southerly) a distance of 27.36 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N02°02'39"E and on the West line of Government Lot 11 of said Section 3 (if extended Southerly) a distance of 158.66 feet to a point on an existing fence line; thence S09°49'10"E and on an existing fence line a distance of 44.09 feet; thence S08°48'59"E and continuing on said existing fence line a distance of 118.25 feet; thence leaving said existing fence line N86°49'14"W a distance of 31.35 feet to the place of beginning. Containing 0.06 acre, more or less.

WHEREAS, Wetlands America Trust, Inc. is desirous of obtaining a conservation easement from Michael O'Brien and Patrese O'Brien, husband and wife, on the real property legally described hereinabove and Michael O'Brien and Patrese O'Brien are desirous of selling a conservation easement to Wetlands America Trust, Inc. on the real estate legally described hereinabove; and

WHEREAS, Wetlands America Trust, Inc. and Michael O'Brien and Patrese O'Brien, husband and wife, have submitted a request to Buffalo County for the approval of a conservation easement on the real estate legally described hereinabove; and

WHEREAS, pursuant to NEB. REV. STAT. §76-2,112 (2003) the Buffalo County Board of Supervisors forwarded the easement request to the Buffalo County Planning and Zoning Commission for their review and recommendations regarding the conformity of the proposed acquisition to comprehensive planning for the area; and

WHEREAS, also pursuant to NEB. REV. STAT. §76-2,112 (2003) on May 21, 2009, the Buffalo County Planning and Zoning Commission recommended approval of the easement at their regularly scheduled meeting; and

WHEREAS, the Board on May 26, 2009, conducted a public hearing on the granting of this easement and no parties spoke in disfavor of granting this easement, and

NOW, THEREFORE, BE IT RESOLVED by the Buffalo County Board of Supervisors that this Board approves grant of the designated conservation easement on the real estate legally described hereinabove and more particularly set forth in the Deed of Conservation Easement which more particularly describes the property as follows:

Together with conditions of the easement and other matters as more particularly described and set forth in the Deed of Conservation Easement with this Board by reference thereto incorporates into this Resolution as if fully set forth herein, should be, and hereby is, approved.

RESOLVED FURTHER, that proponent or proponents of the easement is authorized to file copy of the Resolution against described properties and/or attach copy of this Resolution to any deed, easement, and/or other document associated with it, should they so desire.

At 12:05 P.M Chairman Pierce asked if there was anything else to come before the Board before he declared the meeting adjourned until Tuesday, June 2, 2009 at 9:00 A.M. Chairman Pierce instructed County Clerk Janice Giffin to publish notice for the same according to Nebraska law.